

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN PARKER,

Plaintiff,

v.

N. WEST,

Defendant.

Case No. 2:22-cv-2015 CSK P

~~PROPOSED~~ ORDER

Plaintiff is a state prisoner proceeding pro se. On June 14, 2024, defendant filed a motion to modify the discovery and scheduling order (ECF No. 55). This is defendant's first request to modify the discovery and scheduling order.

Governing Standards

"The district court is given broad discretion in supervising the pretrial phase of litigation." Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal quotation marks omitted). Rule 16(b) provides that "[a] schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "The schedule may be modified 'if it cannot reasonably be met despite the diligence of the party seeking the extension.'" Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson, 975 F.2d at 607).

1 Good cause appearing, defendant's motion to modify the discovery and scheduling order
2 (ECF No. 55) is granted. Defendant is granted an extension of time to depose plaintiff; the
3 discovery deadline is extended to August 8, 2024. Motions to compel discovery must be filed on
4 or before August 8, 2024.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Defendant's motion to modify the discovery and scheduling order (ECF No. 55) is
7 granted; and

8 2. The discovery deadline is extended from June 14, 2024, to August 8, 2024. In all other
9 respects the discovery and scheduling order remains in effect. No other deadlines are affected by
10 this order.

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12 Dated: June 17, 2024

13 
14 CHI SOO KIM
15 UNITED STATES MAGISTRATE JUDGE

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